

# **Notice of Allowability**

**Application No.**

09/653,614

**Examiner**

VAN H. NGUYEN

**Applicant(s)**

SLAUGHTER ET AL.

**Art Unit**

2194

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's arguments on Appeal Brief filed 4/27/05 and the TD filed 7/27/05.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7-14,16-27,29,30,and 32-50 (now renumbered as 1-45).
3. ☒ The drawings filed on 31 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**SUE LAO**  
 PRIMARY EXAMINER

*Examiner's Amendment*

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

II. Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Kowert (Reg. No. 39, 255) on June 27, 2005.

III. **The application has been amended as follows:**

**In the claims:**

- (i) In claim 1, line 1, replace "a method" with "a computer-implemented method"
- (ii) In claim 14, line 1, replace "a system" with "a computer system"
- (iii) In claim 26, line 1, replace "a carrier medium" with "a tangible computer-readable medium"
- (iv) In claim 27, line 1, replace "the carrier medium" with "the tangible computer-readable medium"
- (v) In claim 29, line 1, replace "the carrier medium" with "the tangible computer-readable medium"
- (vi) In claim 30, line 1, replace "the carrier medium" with "the tangible computer-readable medium"

(vii) In claim 32, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(viii) In claim 33, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(ix) In claim 34, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(x) In claim 35, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xi) In claim 36, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xii) In claim 37, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xiii) In claim 38, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xiv) In claim 39, line 1, replace “a method” with “a computer-implemented method”

(xv) In claim 43, line 1, replace “a system” with “a computer system”

(xvi) In claim 47, line 1, replace “a carrier medium” with “a tangible computer-readable medium”

(xvii) In claim 48, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xviii) In claim 49, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

(xix) In claim 50, line 1, replace “the carrier medium” with “the tangible computer-readable medium”

IV. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Meng-Ai An can be reached on (571) 272-3756.


The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**  
Commissioner for patents  
P O Box 1450  
Alexandria, VA 22313-1450

VHN

  
**SUE LAO**  
**PRIMARY EXAMINER**